

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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RUFUS WEST,

Plaintiff,

v.

Case No. 06-C-068

JOHN KUSSMAUL, et al.,

Defendants.

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**SUPPLEMENTAL ORDER**

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On February 12, 2007, I granted plaintiff Rufus West's motion for reconsideration and again screened his complaint. The effect of that order is that West may now proceed with a general due process and Eighth Amendment claim based on the entirety of the adverse conditions of his BMP confinement, and may also proceed with his retaliation claims. While I directed the U.S. Marshal Service to serve a copy of the summons and complaint upon those defendants not already served, those defendants who had already answered the complaint were left in somewhat of a quandary as to whether they needed to file an answer to the resurrected claims. I conclude that they must.

**IT IS THEREFORE ORDERED** that those defendants who have already filed an answer must respond to plaintiff's resurrected claims within 20 days of the date of this order.

Dated this 21st day of February, 2007.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge